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April 2, 2007

Honorable Charles A. Moye, Jr.  
United States District Court, Northern District of Georgia  
Atlanta Division – Chambers – 2342  
75 Spring Street, S.W.  
Atlanta, Georgia 30303

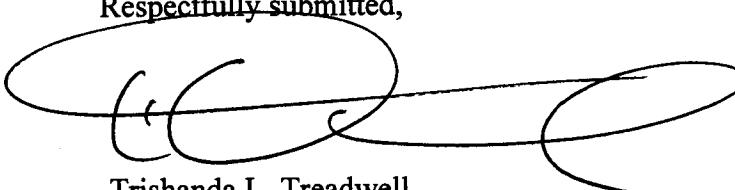
**Re:** *Don E. Bailey v. Bank of America*  
Civil Case No: 1:06-cv-03096-CAM

Dear Judge Moye:

This letter is to clarify for the Court the recent pleadings submitted by Plaintiff Don E. Bailey in the above-referenced matter. First, Plaintiff filed what he entitled a motion to deny defendant's motion to dismiss [11]. Bank of America has not filed and does not intend to file a motion to dismiss. Accordingly, Bank of America did not respond to Plaintiff's purported opposition to any such motion. Bank of America does plan, however, to file a motion for summary judgment to dispose of Plaintiff's frivolous lawsuit. Second, Plaintiff has filed certificates of service with this Court [10, 12, and 13], representing that he has served discovery on Bank of America, but Plaintiff has not, in fact, served any discovery requests on Bank of America.

Should the Court have any questions or further concerns regarding this matter, please do not hesitate to contact me at your convenience.

Respectfully submitted,



Trishanda L. Treadwell

TLT/cam

cc: Mr. Don E. Bailey (via U.S. Mail)  
S. Renee Huskey, Esq.  
Ms. Jennipher Borey  
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